

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

-----X

DARK STORM INDUSTRIES LLC, BRIAN
DOHERTY, and KEVIN SCHMUCKER,

Plaintiffs,

1:20-cv-00360 (LEK) (ATB)

- against -

ANDREW CUOMO, in his official capacity as
Governor of the State of New York, EMPIRE STATE
DEVELOPMENT CORPORATION, and
ELIZABETH RUTH FINE, ESQ.,

ORDER TO SHOW CAUSE

Defendants.

-----X

Upon the declarations of the parties and counsel heretofore filed by Plaintiffs, upon
Plaintiffs' Statement of Material Facts and Memorandum of Law, and good cause having been
shown for bringing on this motion by Order to Show Cause rather than by Notice of Motion:

IT IS HEREBY ORDERED that Defendant EMPIRE STATE DEVELOPMENT
CORPORATION show cause before the United States District Court for the Northern District
of New York, Hon. _____, why partial summary judgment should not be
granted declaring unconstitutional and void the determination made by EMPIRE STATE
DEVELOPMENT CORPORATION that retailers of firearms and ammunition in the State of
New York are not "essential" under Executive Orders 202.6 and 202.8; and it is further

ORDERED, pursuant to the requirements of Local Civil Rule 7.1(e), that:

- (a) the deadline for filing and serving supporting papers is moot, Plaintiffs having filed their moving papers;
- (b) the deadline for filing and serving opposing papers is _____;
- (c) the deadline for filing and serving any reply papers is _____; and
- (d) the date and time for the hearing is _____.

Dated: _____

United States District Judge